

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ALLERGAN USA, INC., ALLERGAN)
HOLDINGS UNLIMITED COMPANY and)
EDEN BIODESIGN, LLC,)
)
Plaintiffs,)
)
v.) C.A. No. 19-1727 (RGA)
) (Consolidated)
MSN LABORATORIES PRIVATE)
LIMITED, MSN PHARMACEUTICALS)
INC., and SUN PHARMACEUTICAL)
INDUSTRIES LIMITED,)
)
Defendants.)
)
ALLERGAN USA, INC., ALLERGAN)
HOLDINGS UNLIMITED COMPANY and)
EDEN BIODESIGN, LLC,)
)
Plaintiffs,)
)
v.) C.A. No. 22-181 (RGA)
)
MSN LABORATORIES PRIVATE)
LIMITED, and MSN PHARMACEUTICALS)
INC.,)
)
Defendants.)
)
ALLERGAN USA, INC., ALLERGAN)
HOLDINGS UNLIMITED COMPANY and)
EDEN BIODESIGN, LLC,)
)
Plaintiffs,)
)
v.) C.A. No. 22-182 (RGA)
)
SUN PHARMACEUTICAL INDUSTRIES)
LIMITED,)
)
Defendants.)
)

STIPULATION AND [PROPOSED] ORDER

WHEREAS, the Court entered a stipulation on March 22, 2022 (C.A. No. 19-1727, D.I. 338) to consolidate C.A. No. 19-1727 with newly-filed actions against MSN Laboratories Private Limited and MSN Pharmaceuticals Inc. (C.A. No. 22-181), and Sun Pharmaceuticals Industries Limited (C.A. No. 22-182) (collectively, “Related Actions”);

WHEREAS, the stipulation provided that Plaintiffs Allergan USA, Inc., Allergan Holdings Unlimited Company, and Eden Biodesign, LLC (collectively, “Plaintiffs”) would amend their complaints in the Related Actions on or before April 26, 2022 to assert U.S. Patent No. 11,311,516, an additional patent issuing from Patent Application No. 17/481,874 (C.A. No. 19-1727, D.I. 338 at 2-3);

WHEREAS, the stipulation provided that Defendants MSN Laboratories Private Limited, MSN Pharmaceuticals Inc., and Sun Pharmaceutical Industries Limited (collectively, “Defendants”) would answer the complaints in the Related Actions on or before May 13, 2022 (C.A. No. 19-1727, D.I. 338 at 3); and

WHEREAS, Defendants have agreed to waive service of the original complaints (C.A. No. 19-1727, D.I. 1; C.A. No. 22-182, D.I. 1); and

WHEREAS, Defendants have agreed that counsel for Defendants will accept service of the amended complaints by e-mail and Defendants will not object to the sufficiency of service of process;

IT IS HEREBY STIPULATED by the parties, subject to the approval of the Court, that:

1. Plaintiffs’ deadline to file amended complaints shall be extended to April 28, 2022;
2. Upon the filing and electronic service of the amended complaints, the summons and amended complaints are deemed properly served on Defendants as of that date; and

3. Defendants' deadline to answer the complaints in the Related Actions shall be extended to May 16, 2022.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Jeremy A. Tigan

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Private Limited and MSN Pharmaceuticals
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April 18, 2022

SO ORDERED this 18 day of April, 2022.

/s/ Richard G. Andrews

United States District Court Judge